

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION


FORCE MOS TECHNOLOGY CO., LTD.,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00460-JRG
ASUSTEK COMPUTER, INC.,	§	
<i>Defendant.</i>	§	
	§	

ORDER

Before the Court is Defendant's Unopposed Motion to Change Lead Counsel (the "Motion") filed by Defendant ASUSTeK Computer, Inc. ("Defendant"). (Dkt. No. 328.) In the Motion, Defendant requests that the Court allow Charles M. McMahon of the law firm Benesch Friedlander Coplan & Aronoff LLP to be substituted as Lead Counsel for Defendant instead of Mr. Li Chen. (*Id.* at 1.) Defendant states that "[d]ue to other commitments, Mr. Chen is unable to attend trial on January 13, 2025." (*Id.*) The Motion is unopposed. (*Id.* at 1, 4.)

Since Defendant filed the Motion, the trial setting in this case has been continued to January 27, 2025. Mr. Chen's unidentified "other commitments" therefore should not be impediments to him serving as Lead Counsel during the new trial setting. Accordingly, the Motion is **DENIED**.¹

So ORDERED and SIGNED this 16th day of January, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE

¹ The Court further notes that Defendant filed this Motion on January 6, 2025—one week before the January 13, 2025 trial setting. However, trial had been set for January 13, 2025 since November 4, 2024. Defendant provides no explanation for why it waited over two months to file this Motion, nor does Defendant even attempt to explain how Mr. Chen's "other commitments" are more important than serving as Lead Counsel in this case. Should the same impediments continue to exist as to the January 27, 2025 setting, Defendant may re-urge a similar type motion, hopefully with more specificity.